

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STEPHEN GILMORE, et al.,
Plaintiffs

v.

NEIL R. HOLLAND, M.D., et al.,
Defendants

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No. 4:17-cv-01781

(Judge Kane)

ORDER

AND NOW, on this 28th day of February 2018, **IT IS ORDERED THAT:**

1. Defendants' motion to dismiss (Doc. No. 17), is **GRANTED**;
2. Plaintiffs' federal claim under the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. § 1395dd, et seq., is **DISMISSED** with prejudice;
3. The remaining state law claims asserted in Plaintiffs' complaint (Doc. No. 1, Counts I – VII, IX and XI), are **DISMISSED** without prejudice as to Plaintiffs' right to file an action asserting these claims in state court; and
4. The Clerk is directed to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania